

CORRECTIONS IMPACT STATEMENT

SESSION: 26RS BILL #: HB 58

Introduced

BR #: 14

BILL SPONSOR(S): Rep. J. Hodgson

AMENDMENT SPONSOR(S):

TITLE: AN ACT relating to privacy protection.

SUMMARY OF LEGISLATION: Create a new section of KRS Chapter 189 to define terms related to automated license plate readers; restrict use of automated license plate readers; establish limitations on use and sale of data captured by automated license plate readers; provide that captured license plate data may be retained longer than 90 days only if it is being used in a criminal or insurance investigation or has become subject to a preservation of evidence notification; require law enforcement agencies to adopt and make public a written policy governing use of automated license plate readers; provide that any recorded images or data captured by an automated license plate reader may be made available to the National Insurance Crime Bureau or its successor organization; require the Transportation Cabinet to establish a permit process for installation of automated license plate readers on highway rights-of-way and to promulgate administrative regulations; amend KRS 189.990 to establish penalty for violation.

AMENDMENT:

This bill amendment committee substitute is expected to:

Have the following Corrections impact

Creates new crime(s)

Increases penalty for existing crime(s)

Increases incarceration

Reduces inmate/offender services

Increases staff time or positions

Changes elements of the offense for existing crime(s)

Otherwise impacts incarceration (Explain):

Have no Corrections impact.

Repeals existing crime(s)

Decreases penalty for existing crime(s)

Decreases incarceration.

Increases inmate/offender services.

Reduces staff time or positions.

STATE IMPACT: Class A, B, & C felonies are based on an average daily prison rate of \$116.41. Community Custody Class C and most Class D felons are housed in one of seventy-four (74) full-service or regional jails for up to five (5) years. Department of Corrections cost to incarcerate a felony inmate in jail is \$46.51 per day, which includes \$35.34 per diem, medical costs, and central office administrative costs (substance abuse treatment not included).*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

The legislation would result in no increase in operational costs at the state level.

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until the disposition of the case. The estimated impact will be based on the \$46.51 cost to incarcerate for the Department of Corrections, including \$35.34 per diem and medical that DOC pays jails to house felony offenders. This cost to incarcerate may not be the actual housing cost for the jail.*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

The legislation would likely result in a minimal increase in operational costs at the local level by creating a new Class A misdemeanor.

A Class A misdemeanor is 90 days to 1 year in jail. Class A misdemeanants are housed at county jails, and associated costs are the responsibility of the local fiscal court.

A Class A misdemeanor is 90 days to 1 year in jail.

- One (1) Class A misdemeanant: \$4,185.77 to \$16,975.64

